

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

UNITED STATES OF AMERICA,

Plaintiff,

v.

2006-CR-0030-07

BLAINE CLAXTON,

Defendant.

TO: Alphonso G. Andrews, Jr., Esq., AUSA
Martial A. Webster, Sr., Esq.

ORDER DENYING MOTION FOR RECONSIDERATION

THIS MATTER came before the Court upon the government's Motion For Reconsideration (Docket No. 622). This order is issued without necessity of response.

The government seeks reconsideration of the Court's Order (Docket No. 619), entered December 26, 2008, denying its Motion to Re-Open Detention Hearing. The government alleges that the "main basis for motion re-open was the fact that Claxton has been convicted of a felony drug offense (in a separate matter) subsequent to this Court placing him on release." Motion at 1. Then asserts that the "Court's order did not address this basis (i.e., the main basis) for detention." *Id.* at 1-2.

United States v. Claxton
2006-CR-0030-07
Order Denying Motion For Reconsideration
Page 2

In its order, however, the Court stated, "In addition, the Court finds that the government has failed to produce any other evidence that demonstrates that the conditions of Defendant's pre-trial release fails to reasonably assure his appearance as required or the safety of the community." Order at 2. The Court considered the government's evidence and found that it failed to demonstrate that detention was required.

Accordingly, it is now hereby **ORDERED** that the government's Motion For Reconsideration (Docket No. 622) is **DENIED**.

ENTER:

Dated: January 15, 2009

/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE